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As when great Cox, at his mechanic call,
Bids orient pearls from golden dragons fall,
Each little dragonet, with brazen grin,
Gapes for the precious prize, and gulps it in.
Yet when we peep behind the magic scene,
One MASTER-WHEEL directs the whole machine:

The self-same pearls, in nice gradation, all
Around one common centre, rise and fall.
Thus may our State Museum long surprise;
And what is sunk by votes in bribes arise;
Till mock'd and jaded by the puppet play,
Old England's genius turns with scorn away.

Epist. to Dr. SHERBURN, by MALCOLM M'GREGGOR, Esq.

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MR. PITT'S CASE.

(Continued from p. 959.)

The THIRD and last proposed head of discussions was, Mr. Pitt's conniving at the withdrawing of naval money from the Bank of England, to be lodged at the banking shop of Coutts and Company, and, of course, to be made use of for purposes of private emolument.—By the partizans of Mr. Pitt, it has, all along, been asserted, that he knew nothing of the illegal proceedings of Lord Melville and Mr. Trotter. Mr. Pitt himself, however, appears to have been conscious of this mistake; and, to this consciousness we may, probably, attribute some part at least of that anxiety, which, on the 8th of April, he discovered with respect to the modification of the resolution of censure. That resolution states, “that Lord Melville, having been *privy to, and connived at, the withdrawing from the Bank of England for purposes (as acknowledged by Lord Melville) of private interest or emolument, to Mr. Trotter, sums issued to him as Treasurer of the navy, and placed to his account at the Bank, according to the provisions of the 25 Geo. III. Ch. 31. has been guilty of a gross violation of the law and a high breach of duty.*” —Here it is evident, that the having been *privy to, and connived at, the withdrawing of naval money from the bank, contrary to the act, and for purposes of private emolument, constituted, in the opinion of the mover of the resolution, the guilt of Lord Melville, which opinion finally appeared to be that of the house.* When, therefore, we find, that Mr. Pitt was informed, duly informed, informed by the governor of the bank of England, so long ago as the year 1797, of the withdrawing of the naval money from the bank to be lodged at a private shop; when we find that Mr. Pitt, did, in consequence of this information, neither take any steps to put a stop to the illegal practice, nor inform his colleagues of the cabinet, or any of them, of the information he had received; when we find, that the practices still continued in their full degree of flagrancy;

when, in short, we find, that there was a complete connivance on the part of Mr. Pitt also, we cannot be much at a loss with regard to the motives, by which that gentleman was actuated, when he so anxiously besought the house not to characterize such a connivance as “a gross violation of the law” and a high breach of duty.” —By adverting to the amendments, which Mr. Pitt proposed to introduce into the resolution of censure on Lord Melville, we find that he was very strenuous in his endeavours to have the words “*has been GUILTY of a gross violation of the law and a high breach of duty*” left out, and to cause to be inserted in their stead, “*has acted contrary to the INTENTION of the law;*” by which he obviously wished to convey, as the opinion of the house, that the *connivance*, in which it now appears he was a participator, arose from a want of *knowing*, or, at least, *recollecting*, what was the real *intention* of the law. This the reader should keep in mind; because, the proposition having been rejected by the house of commons, they, in effect, decided for Mr. Pitt as well as for Lord Melville, that the connivance did *not* proceed from any want of information as to the intention of the law. But, of this we shall have occasion to say more, after having stated the substance of the evidence of Mr. Raikes. That gentleman informed the committee (see the whole of his evidence in p. 869 to 872, present volume), that, in the year 1797, being then governor of the bank of England, he “told Mr. Pitt, then First Lord of the Treasury and Chancellor of the Exchequer, that he had heard, at the bank, that same morning, that the Treasurer of the Navy now kept his cash at Messrs. Coutts and Company's instead of the bank, where he (Mr. Raikes) understood it should be lodged by act of parliament; and that he had also heard, that Navy bills were now paid by drafts upon Messrs. Coutts and Company, instead of drafts upon the bank.” Mr. Pitt does not deny this: he cannot deny it; but he speaks of it in a way calculated to make peo-

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ple believe, that the intelligence came to him in a way that rendered it little calculated to engage his attention. "I have a general recollection," says he before the select committee, "that Mr. Raikes took some occasion to mention to me, that he believed sums were drawn from the bank to a larger amount than he supposed to be necessary, &c. &c." Mr. Raikes's evidence is quite different from this. Mr. Raikes says positively, he told Mr. Pitt, that he had been informed by Mr. Giles, the late Governor of the bank, and by Mr. Newland the Cashier, not that sums "larger than were necessary" were drawn from the bank, but that the Treasurer of the Navy now kept his cash at Coutts's instead of keeping it at the bank, and that navy bills were now paid at Coutts's instead of being paid by drafts upon the bank; and this he expressly says, he reminded Mr. Pitt, was in violation of the act of parliament. "But," says Mr. Pitt, no memorandum, or document of any sort was given to me." To this let us, before we proceed further, add what, upon this part of the subject, he said in his defence in the House of Commons, on the 14th instant. "When gentlemen," said he, "speak of the attention to be given to any communication, it is surely not asking too much that they shall keep in view the circumstances under which the communication took place, the degree of authenticity which it may reasonably be supposed to possess, the character of the individual by whom it is communicated, and the probability that what has been communicated is consistent with truth. Now, with regard to this communication of Mr. Raikes, I must be permitted to observe, that it was not made in his capacity of Governor of the Bank of England. It was not given as a statement derived from his own knowledge, but one obtained from the information of others. It was not accompanied by any documents. It was not repeated under circumstances more striking than when originally produced. Taking into view, then, all the circumstances of the case, and calling the attention of the House to what appears in my evidence before the committee, I hope that there will be no reason found for supposing that I have not in this instance fulfilled my duty to the country in that confidential situation which I then enjoyed, however I may regret, that in consequence of what has since appeared, the inquiry had not been at that time more fully pursued."

—We can with great propriety distinguish here whether he made the communication on the

general character, and the veracity in this particular instance, of Mr. Raikes. The House, he says, should keep in view the degree of authenticity which the information might be reasonably supposed to possess; the character of the informant; the probability of the truth of his information. But the House knows, that the information was true; and, it was for Mr. Pitt to discern, that there was a great probability of its being true, especially as he knew, that, at the suggestion of the person accused by Mr. Raikes, 40,000*l.* had been illegally withdrawn from the bank, in order to to "accommodate;" yes, to "accommodate" two members of parliament, just as the first session of a new parliament was about to commence. There were "no documents." In his evidence, he says that "no memorandum, or document of any sort was given him." In his subsequent defence in the House, he says, "the information was not accompanied with any documents." Much stress is laid, too, upon the circumstance of Mr. Raikes, the Governor of the Bank, not having given the information in his official capacity. "I must," says he, in his speech above quoted, "be permitted to observe, that the communication of Mr. Raikes was not made in his capacity as Governor of the Bank." The Select Committee, observe, too, in their report, that though Mr. Raikes, at the time he gave the information, had occasion to hold official intercourse with Mr. Pitt by authority of the bank, he did not give the information, till "the official business was over." This distinction is very nice indeed. He was the Governor of the Bank; he went to Mr. Pitt as Governor of the Bank; but the moment he began to talk of a violation of the law on the part of Lord Melville, he ceased to be, or, at least to be considered as, Governor of the Bank, though he was communicating information relative to the concerns of the bank with the treasurership of the navy! Could he, will any man say that he could, be considered in any other light than that of Governor of the Bank? The Select Committee, that sedulous committee, seem to have attached great importance to this distinction of character in the person of Mr. Raikes. They asked him several questions touching the capacity, in which he was when he communicated the information. They asked him (see his evidence, p. 870 and 871) whether he had any authority from the bank to mention the matter to Mr. Pitt. "None," says he, "I did it for the public good." Then, being asked, if he spoke merely as an



individual, "I cannot say," replied he, "*quite as an individual*; I was Governor of the Bank at the time I learned it at the Bank, and I mentioned it to Mr. Pitt, being Governor of the Bank." And, upon being asked, whether he afterwards enquired, whether any steps had been taken, in consequence of his communication to Mr. Pitt, he answers: "I looked upon it, that having made the matter known to the Chancellor of the Exchequer, *it was in the hands of the person most competent to set any thing right that might be wrong in the business.*" To be sure! But, then, who will deny that the communication was *official*? The fact is, that this miserable subterfuge has been hitched upon the wrong horn, it being no matter what capacity Mr. Raikes spoke in, so that the person he spoke to was in an *official capacity*, connected with the expenditure, or custody, of the public treasure. If, indeed, the informant had been a person, unknown to Mr. Pitt, or known to be a person who, from either his character or situation, was worthy of little notice; if he had been a man who had brought a mere report picked up at a coffee-house or in a stage-coach; then one might have easily found an excuse for Mr. Pitt in letting the matter drop after a mere mention of it to Lord Melville. But, I think it quite impossible for any one to look upon Mr. Raikes in this light, even supposing his capacity as governor of the bank to be left entirely out of sight. All that was required in the informant, to induce the Chancellor of the Exchequer, to make a strict enquiry into the matter, was, that he should be a person known to be likely to speak the truth, and to have obtained tolerably accurate information as to the matter in question. There was no *official capacity* required. His capacity of one of the people gave Mr. Raikes a full right to communicate the information, and any one of the many capacities of Mr. Pitt rendered it his bounden duty to make an enquiry into its truth. But, there was "no memorandum;" there was "no document of any sort," accompanying the information. And, what would have been the use of documents? Of what could they have consisted? *In the case of Boyd and Benfield Mr. Pitt wanted no documents to induce him to act!* Nay, "it did not occur to him as necessary" to make, or cause to be made, any record, or minute of the transaction. How differently the mind of this gentleman appears at different times and under different circumstances! But, so it is, they say, with all your heaven-born gentlemen. When a couple of

loan-jobbers ask for an "accommodation" out of the public money, he hesitates not a moment; asks for no *proof* of any public good that is to proceed from the grant; says not a word to any of his colleagues; and, when the loan is made, thinks it not at all necessary to cause the slightest trace of the matter to be left any where in existence. "I should" (said he in his defence, on the 14th instant, speaking of the loan to Boyd and Benfield). "I should certainly have felt that I had deserted my duty to my Sovereign, to this House, and to the public, if I had, for fear of violating a particular form, not possessed fortitude enough to do what I conceived the highest interests, not of this kingdom merely, but of Europe, required." Now, supposing it not to have been clearly proved that public utility was a mere pretext for the violation of the law in this instance; supposing there still to be persons so weak as to believe, or so profligate as to affect to believe, that the public credit was thereby preserved; supposing that the "*highest interests*" of this kingdom and of all Europe required a loan of 40,000*l.* to be lent, *secretly*, by the minister, out of the public money, to two members of parliament just at the eve of the opening of the session; supposing a notion like this to have gotten complete possession of the brains of those wiseacres, who (from the gallery I mean, of course) listened to the speech and applauded the "fortitude" of this political hero, in his noble defiance of "*forms*," which his modesty, doubtless, prevented him from calling *laws*; supposing this, yet, I think, that even these persons must wonder, and regret, that this sort of "fortitude" should have entirely failed him in the case of Mr. Raikes. Certainly he had, in this case, a clearly understood duty to perform towards the king and the people; but, we see, that, unfortunately, he did not possess fortitude enough to set "*forms*" at defiance. It was not in his official capacity that Mr. Raikes spoke. He did, indeed, tell him of the gross misuse of the public money; but, he did not expressly state, that he was *authorised* to tell him so; and, therefore, so tenacious was the heaven-born minister of "*forms*," that he could not act, or, at least, to any useful purpose; and, thus, the abuse continued to the end of Mr. Dundas's Treasurership, and, in fact, as we shall see, by-and-by, to the time that the son-in-law of Mr. Coatts happened to oppose the court candidate in the county of Middlesex! When Mr. Pitt is informed, and, in spite of all he can say or insinuate, *credibly* informed, that the naval money is withdrawn

from the Bank, in violation of the law, and to the manifest risk and injury of the public, he is as cold as death; cannot move for want of official authority in the informant; waits for documents, as a constable or jailor does for his warrant or writ, and without them, cannot stir an inch. But, when the interest of Boyd and Benfield is the object; when he is asked to lend them a sum of the public money, he waits not a moment for any thing, calls for no *official authority*, for no *documents* to prove the truth of their statements, dashes, at once, through all the laws that stand in his way; and this he has the confidence to cite as a mark of his "fortitude," of his Camillus-like devotion to the safety of his country! It would, he tells the House of Commons, have been "*deserting his duty* to his Sovereign, to that House, and to the people" (to the people!), if he had not set all law at defiance in order to serve the public by lending the public money, without interest, to members of parliament; but, when he was called upon to serve the public by putting a stop to the misapplication of its money, his *duty* compelled him to wait for formal official information accompanied by documents! A people so insulted, and so tame under insult, as the English now are, exists not, and, I believe, never has existed, in the world! What empty assurance does it discover in such a people to affect to *pity* the French; and, sometimes to reproach them with their baseness in submitting to the insolence of Buonaparté! If the French submit to insult, they can apologize to themselves, that they submit to a great military chief, not a sash-encircled commander of volunteers or of catamarans. Posterity will never blame the French for bearing patiently with the man, who has so widely extended their dominions; who has added so immensely to their power and their fame, and who has brought their ancient rival to their feet. What, therefore, will be the judgment of posterity, as to the tameness with which the English have born, and still bear, language, like that above described, from Mr. Pitt, we can be at no loss to determine. But, let us hope, and confidently expect, that we shall not leave it to posterity to decide this question. Let us hope to live to see the restoration of our ancient character.—The next excuse for not instituting an inquiry, in consequence of Mr. Raikes' information, is, that, at the time the information was given to Mr. Pitt, he "*did not particularly advert to the provisions of the act of parliament*, and it did not occur to his mind, that drawing such sums of money as were

"necessary for carrying on the details of the service was an *illegal* practice." Such was Mr. Pitt's statement before the Select Committee. It will be seen presently, that it was *impossible* for Mr. Pitt to have conceived, from the information of Mr. Raikes, that the withdrawing from the bank was confined to "*such sums of money as were necessary for carrying on the details of the service.*" It will be shown, that it was quite impossible that he should have conceived such a notion from what Mr. Raikes told him; but, first, we must remark upon the circumstance of his not having "*particularly adverted* to the provisions of the act," and of its "*not occurring* to his mind" that the practice was unlawful; which, with an addition worthy of notice, he thus repeated in his defence in the House of Commons, on the 14th instant. "The honourable gentleman thinks it extraordinary that I should not have kept in my recollection that the practice of withdrawing money from the bank and placing it in the hands of a private banker was contrary to the provisions of an express act of parliament. In my evidence before the committee, I did not say that the act of parliament was not in my recollection, but only asserted, that I might not, at that time, have particularly adverted to all its provisions. I will not now enter into any controversy as to the real construction of the act, but undoubtedly it is a grave question, whether the meaning of the act is, that even when the money is *bona fide* drawn out of the bank for purposes strictly naval, it may not be lodged in the hands of a private banker for the greater facility to be given to the public service." This "*grave question*" Mr. Whitbread will now do well to keep his eye upon; for, he may rest assured, that none of the arts which perverted reason affords, will be wanting to endeavour to make it appear, that, the strict letter of the law has not been violated by Lord Melville, he and his paymaster having always taken care, to draw the money out of the bank by the means of those documents named and detailed in the act of parliament, and the act not having positively and specifically prohibited the employment of the money for other than naval purposes after it was drawn out for naval purposes. But, the point to which we must now return, is, Mr. Pitt's excuse of not having, at the time Mr. Raikes gave him the information, "*particularly adverted* to the provisions of the act;" and, here we must not forget, that Mr. Raikes, at the time when he told

Mr. Pitt, that the Treasurer of the Navy now kept his cash at Coutts's instead of keeping it at the bank, and that the navy bills were paid at Coutts's instead of being paid at the bank; when he told him this, he reminded him, that the thing complained of was *contrary to the act of parliament*. It is hardly credible, that, if Mr. Raikes had said nothing about the act of parliament, Mr. Pitt should have forgotten it, or that he should not instantly have particularly adverted to its provisions, especially those provisions which were grossly violated in the withdrawing of naval money from the bank; but, when Mr. Raikes mentioned the act; when he reminded Mr. Pitt, that it was in violation of the act that the naval money had been transferred from the bank to Mr. Coutts's, will any one believe, that Mr. Pitt could fail, at once, to perceive, that the provisions of the act of parliament were directly hostile to such a practice? I think not; and I am persuaded, that no honest man will affect to believe it, more especially when he recollects what those provisions are, and what were the circumstances under which this act was passed. The main object of the act was to prevent balances from remaining in the hands of the Treasurer of the Navy for the time being, and particularly to prevent him, or any one under him, from making any profit of the public money; and, to this end, the act provides, that the naval money, after being issued from the Exchequer and before it be paid away, shall not be kept in the hands of the Treasurer or any one for him; but shall be kept in the Bank of England, and shall thence be issued when it is wanted for the actual payment of naval services, but not before.* Will any honest man affect to believe, that Mr. Pitt could have forgotten these few and plain provisions, or that he did not "particularly advert" to them, and that they did not "occur to his mind," when Mr. Raikes informed him of the transfer of the custody of the naval money from the bank to Lord Melville's private banker's? Still, however, there might have been some little room for doubt, if the act had been passed at a time when Mr. Pitt was not in office; or, if it had been one of those acts, in the passing of which he might be supposed not to take any immediate part. It is true, as was observed by Mr. Wishart, at the Westminster meeting, that when one of us who have no political power to shelter us, commit a breach of the law, or, in some cases,

know of such commission in others without giving information thereof, we are not allowed to plead our ignorance of the law, though there be, of the written laws only, more than forty thick and close printed volumes. We will, however, allow, that with a maker of the law, and particularly a minister and a heaven-born one too, ignorance of the law is, where it can be supposed to exist, a good and valid plea; but, this is not one of the cases, in which that plea could be admitted; for, it cannot be supposed, that Mr. Pitt was ignorant of any part of the law in question. He himself introduced the act into parliament, and that, too, as has before been shown* with a loud boast of superior privity and economy, and with the intention distinctly expressed by him, "of preventing, in future any of the naval money from being kept in the hands of the Treasurer of the Navy, and of preventing any part thereof from being drawn from the bank until wanted for naval purposes." This was the intention of the act, as described by himself, when, on the 17th of February, 1785, he first proposed it to the House of Commons. What honest man, therefore, will affect to believe, that when Mr. Raikes told him of the Treasurer of the Navy's keeping his cash and paying off navy bills at Mr. Coutts's instead of at the bank; what man, not lost to all sense of decency as well as of honesty, will affect to believe, that, when this was told to Mr. Pitt, it "did not occur to his mind," that the practice of withdrawing money from the bank to lodge it with a private banker, for whatever purpose, was a violation of the law?—But, we are told, by Mr. Pitt and his partizans, that, though he did not, in consequence of the information of Mr. Raikes, institute a regular enquiry into the conduct of Lord Melville relative to the practice complained of, he spoke to Lord Melville upon the subject, and received from him "in conversation such a general statement as satisfied him, that the Treasurer of the Navy did not believe, that larger sums were drawn from the bank than were necessary for carrying on the detail of the service in payments to individuals." Upon this statement, though, as the reader will perceive, very general and loose, he says, he *relied*. He was so far satisfied with it, that he made no further enquiry. He does not recollect how long it was after he received Mr. Raikes's information before he communicated it to Lord Melville; but thinks, "that it was probably,

* See the act, Register, present volume, p. 563.—This act should be now read,

* See present volume, p. 569 and 570.

"on the first occasion he had of conversing with him, when their attention was not engaged by other pressing business." Thus endeavouring to give to the matter an air of as little consequence as possible. But, will the reader believe, that "the general statement of Lord Melville," ought to have satisfied, or did satisfy, Mr. Pitt? Will he believe, that Mr. Pitt was so easily to be deceived, upon such a point, by Lord Melville or by any body else, especially after what he himself had been privy to? Perceiving that this enquiry, including the singular conduct of Lord Harrowby, would lead to a greater extent than I have now room for, I shall postpone it till my next, and conclude, for the present, with reverting, (for the purpose of correcting an error in my last) to the subject of the loan to Boyd and Benfield. In page 935, in shewing the improbability of the statement, upon which it was pretended the "accommodation" was given to those patriotic jobbers, it was said, in order to prove that, according to even the amended evidence of Mr. Drummond, the paper of Boyd could have been discounted elsewhere than at the Treasury of Somerset House, that the bills, which it is said, were taken from Boyd as a security for repayment to the government, were, in part, at very short dates. These are the words: "Of the bills about 11,000*l.* out of the 40,000*l.* were payable at the Treasury or the Victualling Office, on the 28th of October, and on the 11th and 20th of November, next following, which, as was before observed, left them only from six weeks to two months to run." The error I allude to is this: instead of about 11,000*l.* out of the 40,000*l.* it should have been, ALL BUT about 11,000*l.* of the 40,000*l.* there being only eleven thousand pounds of the bills which were not at the short dates above-specified. The correcting of this error, which is very material, has led me to discover an omission connected therewith. By that "respectable" Jew, Mr. Abraham Goldsmid, who lent Old England his kind assistance in the emission and circulation of the wind bills, accepted by Mr. George Glenney, that other most "respectable" and patriotic person, who says that he lent his name to the bills, in order the better to "disguise the transaction from the eyes of the people;" by the "respectable" Jew, whose public virtues thus force me into digressions; by this "respectable" Jew, or "gentleman," as Mr. Pitt called him, and by that no less "respectable gentleman," Mr. Samuel Thornton, whom, as Mr. Burke said by Paul Benfield, I name but to honour; by

these two persons it was stated, that if Boyd and Benfield had failed to pay in their instalment, due on the 9th of September, 1796, great injury might have arisen to the public. Upon such and such like testimony, the Select Committee, with Mr. LEYCESTER at its head, and with Lord Castlereagh, Sir William Scott, Lord Duns, Mr. Foster, the Master of the Rolls, and others as members; this committee, upon the testimony aforementioned, reported to the House of Commons, that the discount on the scrip was, at the time the "accommodation" was given, from 13 to 15 per centum. But, I here state as an undeniable fact, that on the 8th of September, the day before the instalment became due, the discount on scrip was at 11 per centum. Some days before, it had been fluctuating between 13 and 16½; but, on the 8th it had come down to 11½, and there it became steady for some time. Let the reader judge, then, whether the discounting of 40,000*l.* of government and India bills would have thrown the "money market," as the Jew and the Jew-like Christians call it, into confusion! I leave him to judge whether the accommodation to Boyd and Benfield was necessary to "prevent a great public mischief;" and, as to Mr. Pitt's not being fully acquainted with the real state of the circumstances, who can, for one moment, believe it? What! Mr. Pitt not acquainted with the state of the "money market!" He not know the price of scrip and the discount upon bills payable at the Treasury! He, who, to the utter astonishment of his gaping partizans (in the gallery, I mean) runs you off the calculation of a tax on horses till he brings it down and fixes it at 1½*d.* a head upon eight millions and a half of people, including the bed-ridden aged, and the sucking babies, and does this as glibly, too, as your little daughter shall repeat you the history of the House that Jack built! What! Mr. Pitt, "the first financier in the world," unacquainted with the means and measures of the "money market!" He, who seems to have been fashioned expressly for the counting-house and the 'change! He, whose head is an interest book! He, who is actually the envy of all the stock-brokers and merchants clerks in London! Will any one? I put the question directly to the reader. Does he believe, that Mr. Pitt was deceived as to the effect which a refusal to "accommodate" Boyd would have produced? If he answers in the negative, he may safely be left to form his own judgment as to the real motive, from which the "accommodation" was given. (To be concluded in the next sheet.)

SUMMARY OF POLITICS.

PROCEEDINGS AGAINST LORD MELVILLE.

—When, in the Register of the 15th instant, p. 928, after giving an account of the proceedings of the 13th, it was observed, that, “as Lord Melville is now before a court of justice, we must, for the present leave him;” when this observation was made, few persons, not closely connected with Mr. Pitt and Lord Melville, could have imagined, that, previous to trial, Lord Melville would have been taken out of the court of justice, by a vote of the House of Commons, rescinding the vote which had just then passed, and which had produced so much satisfaction in every part of the country, and amongst every description of persons, excepting those only who, either directly or indirectly, either actually or in expectancy, share in the plunder of the public. On the 25th instant, however, Mr. *Leycester*, who had been, as the reader will not have forgotten, the chairman of the Select Committee, gave notice, that he should, on the *next day* (a notice of only 24 hours) make a motion for *rescinding the resolution of the 13th*; that is to say, the resolution, which was then passed in the fullest House ever known, for ordering the Attorney General to commence a criminal prosecution against Lord Melville, in the court of King’s Bench! Upon this extraordinary and unexpected step, I shall quote the observations of some of the members of the House, beginning with those of MR. BANKES.—

“There were,” said he, “here two questions for the consideration of the House, and he had heard nothing like a reason adduced in support of either. In the first place, they were required to substitute Impeachment instead of a Criminal prosecution. The other thing which they were called on by the present motion to do, was, however, of a more serious nature.—They were called on to do away a decision of that House past within the last fortnight: and on what sort of notice was this extraordinary call made on them? On a notice which more properly deserved the name of a surprise! In what sort of House had the resolution to which they were thus called on to rescind been passed? In the most crowded House which any man now in parliament recollected to have seen assembled. Yet, on a notice of 24 hours, was the House called on to do away the vote of that night. If such a doctrine were once tolerated, there were no limits to be assigned it. There was no proceeding, however important, which might not be overturned in 24 hours. If

the impeachment were this night voted, it also might be done away within the next 24 hours; and that, too, at a time when most of the members who had constituted the House which passed the resolution had retired into the country on their private business, little dreaming of any attempt of the kind. That in fact was the case here.—The learned gentleman yesterday gave notice of his intention to move, that the House was this night called on to agree, in reversing one of the most important decisions of the session, at a period of the year when more than one half of the members had left town. What would people out of doors think parliament were about, if, without any reason alleged, they altered what they had done by so deliberate and serious a vote of that House after a painful discussion of two days?—The hon. member then proceeded to inquire—

“Had nothing new come out before the Select Committee to warrant the House in proceeding farther than the resolutions originally adopted?—Had nothing new come out in the defence of the noble lord himself? Yet had gentlemen who were of opinion that the original resolutions were necessary and proper, and that farther proceedings ought afterwards to be had, the happiness to find the hon. and learned gentleman who made the present motion voting with them, concurring in every endeavour to discover abuses and peculations, and to punish delinquency? No! Had not he, and all his friends, uniformly reprobated the steps which the House had taken, and charged them with being premature and severe in the measures which they had adopted? Was not what the hon. and learned gentleman now asked of the House completely in the face of his former declared sentiments? Yet his meaning, if he had any, must now be supposed to amount to this, that when in opposition to his opinion, it had been determined by the House that further proceedings should be had, he all at once became completely anxious to instruct the House in the most effectual mode of accomplishing that to which he himself had been disinclined. But when the hon. member found the hon. and learned mover formally maintaining that no ulterior punishment ought to be thought of, he thought it became his duty to suspect the sincerity of the hon. mover’s intentions, and to believe, that instead of giving facility to, it was meant to impede the investigation which the House had resolved

“ should be proceeded in. He hoped, how-
 “ ever, the House would act up to its own
 “ character in adhering to the mode of pro-
 “ ceeding already agreed to. He was satis-
 “ fied, that in our courts, justice would be
 “ administered, and if a jury of independ-
 “ ent country gentlemen should feel them-
 “ selves at liberty to acquit the noble lord,
 “ he, for one, would feel the most sincere
 “ pleasure in the circumstance. The hon.
 “ member proceeded to shew, that from the
 “ dilatory nature of impeachments, and the
 “ advantage both to the law and to the per-
 “ sons accused, that a speedy decision should
 “ be come to, that if not otherwise unfit
 “ for a jury, that mode was preferable to
 “ Impeachment. The prejudice which per-
 “ vaded the country, he maintained, could
 “ not have any effect. The great length to
 “ which challenges of jurors was allowed by
 “ the law, would nearly remove any objec-
 “ tion of the kind; added to which, a spe-
 “ cial application might be made, if it ap-
 “ peared that circumstances rendered it ne-
 “ cessary. The jury would not be a com-
 “ mon one, but composed of the gentlemen
 “ of the county, equally qualified with
 “ that House to form a judgment on the
 “ case. The objection, however, suppos-
 “ ing it to be a good one, was equally ap-
 “ plicable to the mode now urged by the
 “ hon. and learned gentleman. In the
 “ House of Peers would be found persons
 “ by favour and friendship attached to the
 “ noble lord, and therefore equally improp-
 “ er to be his judges. On the other
 “ hand, there, too, he must expect to find
 “ many, who, as he himself had declared,
 “ had at county meetings too made speeches
 “ against him, and had thereby prejudged
 “ his cause. In short, there even more
 “ than in a court of law, the House must
 “ expect to find his partial friends and his
 “ political opponents, both equally disqua-
 “ lified from being his judges. An argu-
 “ ment much insisted on by an hon. and
 “ learned gentleman, (the Solicitor Gene-
 “ ral), was, that a greater number approv-
 “ ed of the Impeachment than of the Cri-
 “ minal Information. He begged, how-
 “ ever, to warn the House against allowing
 “ themselves to be led away by such an ar-
 “ gument. For, to what did it amount?
 “ He was aware that many gentlemen did
 “ not wish to trust the Attorney General in
 “ this matter, and preferred Impeachment,
 “ that it might remain in their own hands.
 “ And what was this but equalizing the ob-
 “ jection? By adopting the Impeachment
 “ now, they would be following the recom-
 “ mendations and suggestions of those who

“ had uniformly endeavoured to screen
 “ Lord Melville, and to avoid all inquiry;
 “ who were alike enemies to a Criminal In-
 “ formation or Impeachment; and who it
 “ was reasonable to believe now recom-
 “ mended the latter, not from any predi-
 “ lection for Impeachment, but from a de-
 “ sire to do away all punishment. He saw
 “ many more chances of the ends of justice
 “ being disappointed by following Impeach-
 “ ment. He earnestly entreated the House
 “ not to do away a mode of proceeding by
 “ which the ends of substantial justice
 “ would be attained, particularly at the in-
 “ stigation of those gentlemen who had all
 “ along opposed the different resolutions
 “ which had been come to, and had re-
 “ proached them with not consulting the
 “ ends of substantial justice. Had the pre-
 “ sent attempt been made in as full a House
 “ as that in which the resolution for a Cri-
 “ minal Prosecution was carried, he knew
 “ well it would have shared the fate it me-
 “ rited. Now it was made at a period when
 “ it could hardly have been in the contem-
 “ plation of any one that such a thing was
 “ intended. Indeed it was impossible to
 “ believe that such was in agitation even
 “ among the friends of the hon. and learned
 “ mover himself four days ago; else why
 “ should the Attorney General have thought
 “ it necessary to ask instructions how to
 “ conduct the Criminal Prosecution? Even
 “ this he conceived to be a novel and ex-
 “ traordinary proceeding, and one of which
 “ the journals of the House did not furnish
 “ a parallel. He was convinced had proper
 “ notice of this motion been given, incon-
 “ venient as it might be for members to
 “ attend, they still would have attended to
 “ resist it. If the motion was carried, it
 “ was impossible to say where things might
 “ stop. They would indeed stop at nothing.
 “ We might in a fortnight see a motion in-
 “ troduced for restraining the Impeach-
 “ ment altogether.”—This speech of Mr.
 Banks was, as it merited to be, received by
 the House with every mark of attention and
 applause. It expressed the sentiments of
 the people; sentiments firmly settled in
 their minds, and not to be removed by any
 thing that can be either said or written by
 the partizans of Mr. Pitt and Lord Melville.
 To the speech of Mr. Banks, it will be pro-
 per to add an extract from that of Mr. Wind-
 ham, of Mr. Whitbread, and of Mr. Fox;
 for, upon so momentous a question, every
 one who has the means, should use them to
 his utmost, to give the public a full view of
 all the circumstances.—MR. WINDHAM
 said, that “ the precedent which the adop-

tion of the motion before the House would serve to establish, would be a precedent, in fact, that would tend to render the most solemn decisions of the House unsteady and insecure. If a proceeding of a nature so novel were really thought necessary by any party in the House, it would have been but decent and respectful towards the House on their part, to have taken another mode of proceeding. They should at least have given a reasonable notice. Indeed, in his opinion, nothing of the kind ought to have been attempted without a call of the House. Instead of taking this course, a mode of proceeding had been resorted to, that, if successful, would, there was too much ground to fear, bring scandal on the House. His character could not, in his apprehension, fail to suffer much in public estimation if such a proposition were adopted. Gentlemen should bear in mind that it was not Lord Melville alone, but that House, that was on trial upon this occasion, and the character of both would be decided by the result. Lord Melville had, by his imprudence, to say the least of him, brought that House into such a situation, that it peculiarly behoved gentlemen, as they valued their duty, their interest, and their characters, to consider how it was to be released, without incurring suspicion, or justifying blame."—

MR. WHITBREAD said, that, "he admitted, that, if his ideas had been acted upon the House would have proceeded in the form of impeachment, but a contrary decision having been adopted, it ought not on light grounds to be relinquished. He would not deny that the mode prescribed by the House was attended with some difficulties, but they were not such as to justify the Attorney General in bringing forward any proposition for specific instructions to regulate his conduct. If he was not prepared to fulfil the wishes of Parliament, after the general instructions he had received, that he was unfit longer to discharge the important duty which he was now called on to discharge. It was the business and the duty of the learned gentleman to do justice betwixt the noble lord and the public, and if he conceived that he could not afford this justice, and if he felt that this justice could not be obtained in his hands, then it was what fairness required that a business of so much interest should go into other management.—It was a very strange objection to this criminal prosecution, that it had been agreed to, only by the pre-

ponderance of about forty or fifty members, in opposition to the general sense of the House. This objection was the more wonderful, when it was recollected, that out of a House, consisting of nearly five hundred members, no fewer than two hundred and thirty-eight were found to support the criminal prosecution. To talk, then, of the real sense of the House not having been declared, was to assert what was totally contrary to the actual state of the case. How the specific number of forty-three, whose influence had been so much alluded to, had acted, he would not now decide. Whether it was the influence of one part of the cabinet played off against the other, he would not then stop to ascertain, but at all events the House had nothing to do with these contests. It was enough to know, that after the gravest deliberation, resolutions of the highest consequence were passed against Lord Melville for his misconduct in one of the highest offices in the state. If forty-three members did decide this momentous question, this was no proof of the imprudence of the vote of the House, or of the inconsistency of the individuals composing that body; they acted from the impulse of honourable sentiment, on a great public question, and their decision had diffused throughout the country the utmost degree of satisfaction. To reverse the decision of the House now, was a very indecent and uncalled for proceeding. Many members were absent, whose opinions could not, at this period of the session, be again collected. In every view of the subject, therefore, though originally inclined to prefer the mode of proceeding by impeachment, he should vote against the motion of the learned gentleman, from a conviction of the dangerous consequences of disturbing a solemn decision of the House, obtained after the fullest consideration of all the circumstances connected with this interesting question."—The speech of Mr. Fox is entitled to particular attention. Imperfect as the report of it, doubtless is, it will sufficiently show what were the grounds, upon which he opposed the proposition before the House. I beg leave to request the reader's attentive perusal of it.—

He said, that "the question, in every point of view in which he could consider it, as connected with the cause of the country; as affecting the dignity and consistency of the proceedings of that house; as involving in it various considerations of the greatest moment, it

“ appeared to him to require the utmost
 “ attention. Before he came to what he
 “ regarded as the material objections to the
 “ proposition which had been offered to the
 “ house, he would say a few words as to
 “ the notice which had been given. It was
 “ said, that notice had been given a week
 “ ago in effect, though not in form. That
 “ possibly might have been the case, and
 “ that notice was certainly as good as the
 “ notice of yesterday, which certainly
 “ would not have been given, unless for the
 “ purpose of lessening, in some degree,
 “ the monstrous scandal of the proceeding
 “ which was now pressed upon the House.
 “ The Right Hon. Gentleman on the floor
 “ had gone into a very accurate comparison
 “ of dates, and had endeavoured to prove,
 “ that it was impossible that the motion
 “ could be earlier brought forward. But was
 “ it necessary that he should put it off a
 “ whole week? Why did he not, as soon
 “ as he had perceived his error, which he
 “ supposed he had as soon as he awoke in
 “ the morning, take the first opportunity
 “ which offered itself afterwards, to move for
 “ a revival of the proceedings? When he
 “ perceived that he placed Lord Melville
 “ in a situation disgraceful to himself, why
 “ was not the notice of motion given when
 “ the members were at their posts, and
 “ when it would not be liable to the suspi-
 “ cion which must now attach upon it, not
 “ only in the House, but throughout the
 “ entire kingdom? It was not however,
 “ upon so paltry an objection as the mere
 “ want of a sufficient notice that he princi-
 “ pally rested, it was upon great and im-
 “ portant constitutional grounds. If the
 “ motion proposed by the hon. and learned
 “ gentleman should be adopted, what se-
 “ curity, he would ask, was there, that any
 “ motion which should be ever carried
 “ against a minister may not be rescinded?
 “ The right hon. gentleman says, was there
 “ any notice of the amendment for a crimi-
 “ nal prosecution given? Why no, and
 “ for this reason: no form of proceeding
 “ had at the time been adopted, and it was
 “ competent to any gentlemen to suggest
 “ that form which seemed to him best adapted
 “ to meet the exigency of the case, and to
 “ secure the ends of justice. But what was
 “ the motion of to-night? A right hon.
 “ gentleman gives notice, that he will move
 “ to exclude part of a proceeding which
 “ has been sanctioned by the House; he
 “ gives notice that he will move, that the
 “ part of the charges which applies to Jelli-
 “ coe's debts should not be prosecuted by
 “ the Attorney-General, and the honour-

“ able gentleman steps forward, and moves
 “ to substitute an impeachment for it, which
 “ has no connexion whatever with the sub-
 “ ject. So much for the point of notice.
 “ The right honourable gentleman says, the
 “ majority of the House approved of the
 “ proceeding by impeachment; that he
 “ would deny. If they did, why was it
 “ not carried? The question was not upon
 “ the propriety of one proceeding more
 “ than another; it was, whether certain
 “ words should stand part of a motion.
 “ How were the opinions of gentlemen to
 “ be collected but from their votes or their
 “ speeches? If the right hon. gentleman,
 “ who did not speak on the question, was
 “ for the impeachment, why did he, and
 “ those who acted with him, vote against
 “ it? Notwithstanding their attempts to
 “ stultify themselves now, he would not
 “ consent to give them the advantage of
 “ this kind of double proceeding. They
 “ resisted the impeachment, he supposed,
 “ upon the principle that a man, when two
 “ measures are proposed to him, and nei-
 “ ther of them agreeable, takes the worst
 “ in order to render the whole proceeding
 “ ridiculous and deserving rejection. As
 “ to the argument that many of those who
 “ had spoken on his side of the House to
 “ night approved still of the impeachment,
 “ why so they did, and so did the learned
 “ gentlemen on the other side of the House,
 “ and so did the right hon. gentleman (Mr.
 “ Canning) who sat next him; but that
 “ he supposed was in him only the exercise
 “ of one of his usual practices, and lest he
 “ should miss the opportunity of flying at
 “ the persons whom he could not vote with.
 “ Not but that there were objections even
 “ to the proceeding by impeachment. When
 “ he considered that there were seventy or
 “ eighty members in the House of Peers
 “ who had been exalted to their seats du-
 “ ring the administration of which Lord
 “ Melville made a part, perhaps it would
 “ have been adviseable that he should look
 “ a little about him, but still he would have
 “ preferred the proceeding by impeachment
 “ to any other. It may be said then, why
 “ will you not take it now, when it is
 “ offered to you; you may have 200 with
 “ you, and you may be sure of carrying
 “ it? To this he would say, he would
 “ rather have those 43 with him than the
 “ 200. He did not like this uncalled-for
 “ civility. There was something suspicious
 “ in their assistance. Would he think his
 “ tax the best? But the supporters of the
 “ motion think it very hard that we will
 “ not trust them. To this he would say,

“ yes, we will trust you as gentlemen,
 “ but not as Members of Parliament. The
 “ Right Hon. Gentleman had affected a
 “ great veneration for the determination of
 “ the House, and has professed to bow to
 “ its decision. But does he bow to its deci-
 “ sion? The decision of the House was for
 “ a criminal prosecution, and the Right
 “ Hon. Gentleman wished to impose the
 “ proceeding by impeachment upon them,
 “ which they had rejected, and which was
 “ directly contrary to their decision, in fa-
 “ vour of another proceeding. A great
 “ deal had been said for the purpose of
 “ proving that the decision of the House
 “ was in reality the decision of the minori-
 “ ty. Suppose the Right Honourable Gen-
 “ tleman should take it in his head to revise
 “ this proceeding next week, would he not
 “ make use of precisely the same argument?
 “ If the question of to-night be carried,
 “ there would be an end to the criminal pro-
 “ secution, and by a similar juggle he might
 “ get rid of the impeachment, and so let
 “ Lord Melville escape perfectly free. There
 “ was nothing to prevent his doing so next
 “ week if he pleased; he would have the
 “ same arguments in favour of it, and per-
 “ haps something more in point of numbers.
 “ He had originally preferred the proceed-
 “ ing by impeachment, but if he were ask-
 “ ed which he liked best now, he would
 “ take the prosecution in preference to im-
 “ peachment, and for this reason, that the
 “ House had so decided. The appointment
 “ of managers was a consideration of diffi-
 “ culty and great delicacy. No person
 “ would like to go into the House of Lords
 “ with a conviction that he was sent there
 “ by a majority of that House, which he had
 “ reason to suppose was not friendly to the
 “ success of the cause with which he was
 “ charged. Many inconveniencies were
 “ produced by it, and he believed former
 “ managers had felt the ill effects of it. It
 “ would damp the ardour of any man in
 “ such a situation, if, when coming back
 “ for instructions to that House, he was to
 “ be met at every turn by persons hostile to
 “ the whole proceeding. *When he consid-
 “ ered the conduct of all those on the other
 “ side, persons who seemed absolutely ena-
 “ moured of the delinquencies of Lord Mel-
 “ ville, who seemed as much attached to his
 “ misconduct as the Prince of Orange was to
 “ his country, and decided to die in the last
 “ ditch of it; when the very motion now
 “ proposed, was, for aught he knew, per-
 “ haps, part of a system to withdraw Lord
 “ Melville entirely from public justice, he
 “ could not, whatever his original opinion,*

*might have been, but give it his marked
 “ disapprobation. What the motive for
 “ bringing it forward might be, he neither
 “ knew nor cared, whether to screen Lord
 “ Melville, or to triumph over a political ad-
 “ versary but he would assist in neither.
 “ Should the House join in it, they would
 “ betray the cause they had engaged in, and
 “ destroy all the credit which their former
 “ proceedings had obtained for them. The
 “ proceeding by criminal prosecution had
 “ been carried in one of the fullest Houses
 “ he ever knew, except two or three, and
 “ were they now to rescind, in a House not
 “ near so full, a resolution so deliberately
 “ discussed, and so solemnly approved?
 “ Could the House, with any decency, be
 “ called upon to revise its decision? If re-
 “ vision were necessary, adjourn the ques-
 “ tion, not until Monday, as it was proposed
 “ by an hon. friend of his, but for three
 “ weeks, to give time for a call of the
 “ House; and let all members be brought
 “ up again to rectify the unfortunate mis-
 “ takes that his Majesty's ministers have
 “ made in their votes on this subject. Be-
 “ fore he sat down, he would move the
 “ other orders of the day, for the purpose
 “ of getting rid of the motion proposed.
 “ He was one of those who thought, that
 “ so far from Lord Melville not being pun-
 “ nished enough, that he was of opinion he
 “ had not been punished at all. As to any
 “ violation of privilege, it was quite out of
 “ the question. If the lords did not com-
 “ plain in Lord Halifax's case, it was not
 “ very likely that they would complain now.
 “ Peers were as subject to be tried for mis-
 “ demeanours by a jury as others. Lord
 “ Abingdon, and a noble friend of his (Lord
 “ Thanet), had been so tried, and no one
 “ thought proper to say that the privileges
 “ of the peers were violated by it. He was
 “ not fond of talking law in the House;
 “ but, he believed, there was not a great
 “ lawyer in it who would have any difficul-
 “ ty in drawing up a sufficient indictment to
 “ meet every charge which had been made
 “ against Lord Melville. Was there, he
 “ would ask, any lawyer in the courts who
 “ was not a member of parliament, who
 “ would have any difficulty in drawing up
 “ such an indictment? It could not be
 “ supposed that he would be able to meet
 “ the attorney-general upon all the techni-
 “ cal difficulties he had started about laying
 “ the venue, but he would ask whether the
 “ wrong laying of the venue would be fatal
 “ to the information? (The attorney gene-
 “ ral answered across the table, that it
 “ would.) Well, then, could not the in-*

formation be renewed in some other shape? Let, however, the fate of the prosecution be what it may, it was his confirmed opinion that the House was bound by every principle of consistency to persevere in the mode it had adopted, with greater deliberation, perhaps, than ever was brought to bear upon any question discussed in parliament. To revise their decision, would be to overturn all their proceedings; and for what? Why, perhaps, for the purpose of promoting that party triumph to which he had alluded at the commencement of his speech. The argument the least feeble which he had heard urged in favour of it was, that it would be a proceeding agreeable to Lord Melville. But had not Lord Melville protested against the judgment of his contemporaries? And in stating the possible modes of proceeding against him, had he not distinctly stated in that House, that of the two he would prefer the process by criminal information to that by impeachment? How then could it be said that impeachment would be more agreeable to him? He had heard no one argument in the course of the night to justify, in his opinion, the rescinding, or even the reconsideration of the decision of the House. The motion was subject to the greatest suspicion, and the House was called upon to proceed with the utmost deliberation. They would run the risk of losing even the little they had gained in the way of prosecution, by revising the proceedings. No vote would ever be safe, if within a few days after a solemn decision of that House, any member should be at liberty to start up and propose to cancel and annul, at 24 hours' notice, a resolution which the House had deliberated for almost twice that time. It would be an act of levity, and liable to the suspicion of something worse, which the House was bound in maintenance of its own honour, its character, and a due regard for the dignity of its proceedings, to reject as dangerous in the extreme." Mr. Fox concluded with a motion for the *Order of the Day*, with a view of getting rid of the proposition of Mr. Leicester; and, upon a division taking place, there appeared, for the amendment of Mr. Fox 143, against it 166; leaving a majority of 23 in favour of the ministers and Lord Melville.—The reader will recollect, that, when the House determined on the mode of a criminal prosecution, there were present no less than 467 members, 238 of whom voted for the criminal prosecution. When that decision was rescinded, there

were only 309 members present in the whole, and that the measure of rescinding was carried by only 166 voices, 72 less in number than the voices by which the mode of proceeding by way of criminal prosecution had been sanctioned, only two of those who voted in the majority before having voted in it now. Upon a very slight glance at this statement, everyone must be convinced, that, not only was this new measure carried by surprise, but that it could not have been carried in any other way.—On the means resorted to, in order to obtain this vote, in order to withdraw Lord Melville from the hands of a Judge and Jury, little need be added to what will be found in the speeches quoted above; but, it may not be amiss, upon such an occasion to remind the public, of the hundreds of instances, in which Mr. Pitt has vauntingly appealed to a former vote of the House, as being conclusive against every argument that could be urged as to anything in opposition to whatever was sanctioned by such vote. For instance, in the defence of himself, on the 14th instant, when the House, too readily in my opinion, granted him a bill of indemnity, he appealed to the vote that was passed in 1797, approving of, or rather excusing, his conduct, in sending money to the Emperor of Germany without consent of parliament. It was, indeed, hard to see any very strong similarity between this case and that of lending the public money, without interest, to two members of parliament; but, be that as it may, he produced it; he made his appeal to the vote of 1797; and insisted, that the House was bound, in consistency, to excuse his conduct in the case of the loan to Boyd and Benfield. Thus, when the maxim makes in his favour, the resolutions of the House are like the laws of the Medes and Persians; no circumstances of time or person can change them; it is no matter whether the resolution referred to be of another or of the same parliament; but, when a resolution makes against him, it can be changed at any time, and, it is even a mark of inconsistency and inconstancy not to change it, and to change it backward and forward, too, as often as it suits his purpose!—The argument, that the recent act of rescinding the order for a civil action against Lord Melville in order to make way for a criminal prosecution, was well worthy of the cause in which it was employed. The civil action was rescinded in consequence of the *new matter*, the new facts and new crimes discovered by the Select Committee; and, especially, as it was found, from the evidence taken before that Committee, that, *all the books and papers had been destroyed,*

by the help of which books and papers only it could be hoped to succeed in a civil action. Did any reason of this sort offer itself for rescinding the resolution relative to the criminal prosecution? Had any new matter come to light to warrant the total change of a mode of proceeding *fixed* on by the House, and, after having fixed on which, more than 150 of the members had gone out of town?—Not only was this measure fixed on by parliament; it had had upon the nation at large the effect of a fixed measure. All those whose loyalty and public spirit had urged them forward in the war against disciplined phalanxes of corruption, had laid aside their arms, confident that their cause was now placed beyond the power of those, who had so long, so strenuously, and so foully been fighting against it. A remarkable instance of the truth of what is here stated occurred in the county of Wilts. In this county, where, it is worth observing, there had not been a meeting of the same kind held since the close of the American war, a requisition was made to the sheriff, Sir Richard Colt Hoare, to call a county meeting, so long ago as early in the month of April; but, he, having, a few days before the requisition was sent to his house, set out on a trip to Wales, and having, as he stated at the meeting, given a positive and indiscriminating order, *that no letters should be forwarded to him* (for the giving of which order by a person in such an office I shall not pretend to account), the meeting did not take place till the 18th of the present month; when, at the suggestion of Mr. Hussey, it was unanimously agreed to, that, *as it was fixed on to bring Lord Melville to trial before a Judge and Jury*, it would be improper for the freeholders to enter into any resolutions upon the subject of his offences. What, then, must be the feelings of the people of Wiltshire, when they learnt, that the satisfactory resolution of the House of Commons was so suddenly rescinded, without any good cause assigned, and apparently without any other reason, than that Lord Melville and his supporters have an objection to trial by Judge and Jury? What must they, and, indeed, what must the whole nation think, of this sudden removal of the cause from the bar of the King's Bench, at the instigation, and by the devices of Lord Melville's staunch and avowed partisans? especially when it is recollected, that it had been declared, that the conviction there of the legal guilt was to be regarded as inevitable? Mr. Pitt said, that a majority of the House had, on the 13th instant, approved of the mode

of proceeding by impeachment. How did he know that? If they had, the impeachment would, as Mr. Fox observed, have been carried. But, they had not. There were, indeed, 195 members (a minority most terrific!) who approved of, and who voted for, the impeachment; but that was all. If Mr. Pitt and his and Lord Melville's adherents (for they are every where and always the same); if they had approved of the impeachment, why did they not vote for it? And, what confidence must they have now to *propose*, that which they then not only *opposed*, but severely *condemned*? In answer to this, they say, "we may surely now propose that which we then condemned, with as much consistency as you now condemn what you then proposed." But, not to say, that, at the time the Opposition proposed the impeachment, no mode of proceeding had been fixed on by the House, there is *now* in the conduct of the Pitts and Dundasses a reason more than sufficient to make the Opposition condemn the proceeding which they before proposed. They before proposed it, for what? For the purpose, the avowed and obvious purpose, of obtaining justice for the country in the *punishment* of Lord Melville; or, which is as correct and a more illustrative way of expressing the same thing, they then proposed an impeachment for the purpose of defeating the intentions and endeavours of those, who, from the first discussion of the subject to that hour, had been exerting themselves to the utmost *to prevent the infliction of any punishment at all*. This was the view with which the Opposition proposed an impeachment, and with a view precisely the contrary the Pitts and Dundasses opposed it. The proposal for an impeachment was rejected; another mode of proceeding was fixed on; and, now, when the Pitts and Dundasses, those who have been constantly endeavouring to prevent the success of every measure intended to produce the punishment of Lord Melville; when these people come and propose to set aside one mode of proceeding in order to substitute another in its place, does not consistency as to the main object imperiously demand that those, who before preferred that other mode should now prefer the mode that was fixed on; that is to say, the mode, which, it now appears, is the most feared by the relations, the adherents, the associates, and, probably, as it may yet appear (alluding, of course, to persons out of doors) the accomplices, of the person to be tried? The Attorney General had openly declared, that he was *sure of a conviction upon the illegality of Lord Mel-*

ville's conduct; that is to say, upon the grounds contained in those very resolutions, upon which Mr. Pitt, on the 8th of April, *moved the House to declare him NOT GUILTY.* And, when this same Mr. Pitt comes and proposes to take the case out of the hands of the Attorney General; to remove it from the court where a conviction was officially declared to be *certain*, what are we to think? Nay, can we possibly have any doubt as to the *intention*, with which such a removal has been proposed? Consistently, then, with their professed desire to obtain justice for the country, the Opposition were now compelled to object to the rescinding of the order for the criminal prosecution. —As to the probable dispositions and conduct of the House of Lords, and the consequent event of the mode of proceeding now adopted, I say, with a writer in the *Times* newspaper, "I hope, that, if there are
 "breasts so vile and corrupt as to foresee,
 "or hope, any chance of *evading* or *pro-*
 "*crastinating* justice before the august tri-
 "bunal of the Lords, which appeared to
 "them desperate or precarious in the Court
 "of King's Bench, they will not be less dis-
 "graced in the event, than they will cer-
 "tainly be disappointed. The eyes of the
 "people are by all these perplexed and
 "tortuous proceedings, directed in a parti-
 "cular manner to the House of Peers in the
 "recommendation to which high honour,
 "Lord Melville has enjoyed so large a pro-
 "portion, and of the confidence of which
 "he lately held so great a share, as to have
 "been entrusted with more than forty
 "proxies." —Yes; his partisans boasted, boasted openly, and even in print, that, upon the evening of the threatened motion of the Marquis of Stafford, which threat drove out the Addingtons, Lord Melville came with more than *forty proxies in his pocket!* Good God! A man, who, for sixteen years had been in the constant practice of what has now been, by the House of Commons, declared to be a gross violation of the law and a high breach of duty! More than forty proxies of peers of the realm in the pocket of a man who is now impeached at the bar of those peers for the lowest of all possible crimes, and whose friends exult in the success of a contrivance, by which he has been *rescued* from the hands of a Judge and Jury! This man more than forty proxies in his pocket! Is it not to be feared, that amongst ignorant or unthinking persons, this fact may serve as a criterion whereby to estimate the character of the present House of Peers? For my part however, I am by no means afraid, that, in the

end, we shall obtain complete justice, though no one can be at a loss to judge of the motives of those, who have all along opposed every step towards a trial of any sort, and who now come to propose a mode of trial which they had before directly condemned; *now, that it cannot be, for several months proceeded in.* There is no fear, that, finally justice will not be obtained. The attention and the feelings of the nation have been so thoroughly roused, and its suspicions have been excited to such a degree, particularly by this last proceeding, that nothing material will now escape notice. The Attorney General has explicitly declared in open parliament, that *in the Court of King's Bench, a verdict against Lord Melville would have been certain.* This declaration we must never suffer, for a moment, to escape from our minds. I should have preferred, greatly preferred, a trial by Judge and Jury. As I took the liberty to state before, whether we consider the rise or the general character, of the person accused, as well as the character and particular cast and qualities of his supporters; or whether we consider the nature of the charges against him, a Jury appears to be the most proper tribunal. And, when we are reminded of the maxim, that every man has a right to a trial by *his peers*, we should, could we restrain a smile at the miserable *fun*, ask how Lord Thanet and Lord Abingdon came to be tried by a jury; and we might, in addition, ask whether we are to take those who were the peers of the accused, at the time when the crime was committed, or when it was detected. Suppose, for instance, that Mr. Trotter had been made a peer, as many others were, in the year 1797, and suppose his mixtie maxtie account, and his dealings with Mark Sprott had come to light, in a few months afterwards, will any one pretend, that he would have had a right to demand a trial before the House of Lords, to the great inconvenience of that House, the almost inevitable interruption of public business, and to the certain great expense of the public? It has been said, that Lord Melville too, will incur great expense; that the trial by impeachment will "*ruin him*;" and it is indeed, possible, that the sponge may be tolerably well squeezed; but, though the perennial spring of the mixtie maxtie is dried up, it is, all things, persons, and situations considered, not at all improbable, that his lordship may find the means of obtaining an "*accommodation*," that would most effectually prevent his ruin. An "*accommodation*" is an excellent thing to a person in distress, and especially in that sort of distress, to which

Lord Melville is now likely to be exposed; for, while it keeps up their spirits, it keeps down their *resentments*, which, if suffered to break out, might, by possibility, prove dangerous not only to themselves but to *their friends* also. An "accommodation" (oh! how much do "I thank thee, Jew, for giving me that word!") is a drug of very potent quality; it keeps the patient easy and quiet; and, in short, the word is, as Bardolph says, "a word of exceeding good command."—Be the consequences of the impeachment what they may, however, it is now certainly to take place. On the 26th instant Mr. Whitbread, accompanied by about sixty members, amongst whom *there was not one Pittite*, went to the bar of the House of Lords, and there preferred the impeachment in form. A committee of twenty one members, whose names shall be given in the next sheet, was, the same day, appointed to conduct the prosecution. A bill is bringing forward for the purpose of qualifying Mr. Trotter to be an evidence; and, the articles of impeachment will, doubtless, be prepared in a few days. Thus, then, in spite of all the efforts to the contrary, here he is, safely brought up, at the end of a two-and-twenty year's career. Here he is, the great economist, reformer, and impeacher, the close, the inseparable associate of the heaven-born minister, at last impeached himself, and that, too, (oh striking instance of the justice of Providence!) upon the motion and by the votes, of his own partisans, associates, friends, and relations!

PARTIES.—The well-known divisions, the childish bickerings, in the cabinet, and the desperate state, in which the minister is placed, together with the desire of many well-meaning men, but, certainly very weak politicians, of seeing an union of the Opposition with Mr. Pitt and the remains of his once numerous and powerful body of friends; all these circumstances conjoined gave, some days ago, rise to a report, that Mr. Fox had, in the debate of Friday, the 21st instant, declared, that, finding there was, in a certain quarter, an objection to himself, *he would not stand in the way of the wished-for union, and that he recommended to his friends to join with Mr. Pitt!* This was the substance of the report, as given in the Morning Post, and papers devoted to the *Pitt part* of the ministry; and, which report, I take upon me to assert to be entirely false; a complete *fabrication*, and for what purpose, those who are acquainted with the situation of the Pitts, the Huskissons, and the Cannings will be at no loss to perceive. Mr. Fox's words, according to the report of persons who were very near him, and who,

upon such a topic could not fail to listen very attentively to what he said, were as follows: "Who can expect, that we should give "extraordinary confidence" (the question the vote of credit), "or that foreign nations "should give any confidence at all, to such "an administration as the present? I am, "perhaps, less sanguine than others, with "respect to the good that could be done by "the best administration; but I feel myself sure, that an administration formed "to comprehend all that is respectable for "rank, talents, character and influence in "the country, affords the only *chance* of "safety; and I trust, that nobody can suppose, that any individual (however he may "disapprove, as I certainly do, the unconstitutional principle of exclusion) would "suffer any personal object of ambition, if "ambition he had, to stand in the way of "the formation of such a ministry." Now, what does this mean? or what can it be tortured to mean further than the words import? except, perhaps, to lay an implied responsibility on Mr. Pitt, if *he* suffers considerations respecting *his* power, or personal situation to prevent the formation of such a ministry as Mr. Fox described.—As to the real state of the case, there can, it is my settled opinion, be no ministry, that would have any strength or durability, without Mr. Fox. The thing is not practicable. Men may indulge their prejudices, and feed their hopes, as long as they please; but the state of parties, of political influence and wishes, is such, that no efficacious ministry can now be formed *without* Mr. Fox, and that none, which would not completely eradicate the last remains of confidence, can be formed *with* Mr. Pitt. The readers of this work have heard, till they are wearied, perhaps, my reasons for wishing, as I long have wished, and as I yet earnestly do wish, that Mr. Pitt should no longer have the conducting of our public affairs. A year ago, I did, indeed, think, that, for the important purpose of insuring harmony at so trying a crisis, he might, and ought, to have been a *member* of the cabinet, expressly declaring, however, that he ought by no means to be at the *head*; but, the last twelve months have made a great change in matters with respect to Mr. Pitt. His imbecillity as a war minister; his childish whims about the army, the volunteers, and the catamarans; his miserable and yet odious taxes: these might all be overlooked; but, the discoveries made in the Tenth Report and during the inquiries connected therewith, together with his conduct relative to the several propositions respecting Lord Melville, render it, in my opinion,

IMPOSSIBLE for him ever to be admitted into any ministry not composed of men, who would, if occasion offered, do what he and Lord Melville have done; and here, I am thoroughly persuaded, I express the sentiment of ninety-nine out of every hundred men in the kingdom. [*This subject shall be resumed in my next.*]

FOREIGN OFFICIAL PAPERS.

GENOA UNITED TO FRANCE.—*The following articles, taken from the French Official Paper, contain an account of what has been done relative to the Union of Genoa with France.*—1805.

Genoa, June 2.—Some of our senators, who were sent to Milan to the coronation of the Emperor Napoleon, as King of Italy, having returned here on the 24th of May, with M. Salicetti, the French minister, on the next day an extraordinary sitting of the Ligurian Senate was held, in which the most important question which could be submitted to the consideration of that assembly was discussed. The Genoese senate, in this meeting, formally declared for an union with the French empire, proclaimed its conditions, and resolved to submit it to the approbation of the people.

Decree.

The senate, taking into consideration the actual state of the republic, and convinced that an independence, without strength or means to protect its commerce, the only source of its national prosperity, is of no advantage to the state of Liguria, and that it cannot exist without being united to the French empire, particularly since Piedmont has been incorporated with it; considering, besides, that the declaration made at the congress of Amiens, by the English government, that it could not recognise the republic of Genoa until it had resumed its antient form (a condition to which the Ligurian people could never consent), exposes it to the severe necessity of being involved in all the naval wars which may arise between France and England; considering that if, on one side, the Barbary powers, desolating the Ligurian commerce, make all maritime communication impracticable, so on the other our communications by land are as much interrupted by the necessary system of the French law of customs; considering, in fine, that the only means of withdrawing ourselves from a situation so critical, of re-establishing our commerce, of recovering all our rights and privileges, and of removing all the obstacles to our participating with the

commerce of France, the immense advantages which peace will assuredly procure for her, is to incorporate ourselves with the French nation, and that to obtain this favour it is adviseable to profit of the journey of the Emperor and King to Italy: decrees—

ARTICLE I. The union of the kingdom of Italy with the French empire, shall be proposed to his Majesty the Emperor and King, under the following conditions:—1st. That all the Ligurian territory, without the least reduction, shall compose an integral part of the French empire: 2d. That [the debt of the Ligurian republic is to be liquidated in the same way with the debt of the French nation: 3d. That Genoa shall be a free port, with all the privileges thereunto annexed: 4th. That in apportioning the land tax, due regard will be paid to the barrenness of the Ligurian soil, and the expenses of agriculture, more considerable than in any other country: 5th. That there are neither to be barriers nor custom-houses between France and Liguria: 6th. That the law of conscription shall only apply to sailors: 7th. That the export and import duties shall be regulated in the manner the most favourable to the agriculture and manufactures of Liguria: 8th. That all civil and criminal suits shall be decided either at Genoa or in some of the adjacent departments of the empire: 9th. That all the proprietors of national property shall be secured in the possession and full enjoyment of the said property.—**ARTICLE II.** The present decree shall be immediately submitted to the decision of the people.—

(Signed) **LAZOTTI LANZOLA**, *Chief Secretary.*—Dated June 1, 1805.

The registers having been immediately opened throughout all Liguria, to receive the votes of the functionaries and citizens, the decree of the senate was instantly ratified by a great majority of affirmative votes. The registers were collected at Genoa, and entrusted to deputies, who yesterday set out to present them to the Emperor of the French, and to entreat his Majesty to grant the request expressed. Previous to the departure of the deputies, official communication was made of the wishes of the Ligurians to the Austrian Envoy, Baron Giusti, in the following note.

The undersigned senator, minister for foreign affairs, has the honour to communicate to his excellency the envoy extraordinary and minister plenipotentiary of his Majesty the Emperor of Germany and Austria, the decree whereby the senate has induced the union of the Ligurian republic with the

French empire: a decree which has obtained the sanction of the people, and in virtue of which a deputation has been appointed to lay before his Majesty the Emperor of the French and King of Italy, the wishes of the whole nation. His excellency has resided sufficiently long at Genoa to be satisfied of the impossibility under which this country laboured, of preserving its independence amidst events which have changed the face of Europe. Too weak to protect our commerce and navigation, we have constantly seen our flag insulted, and our coasts exposed to the pillage of the Barbary powers. While the great powers were occupied in making their flag respected, they abandoned the weaker ones to the outrages of the enemies of the Christian name. Our interior police also was so difficultly circumstanced, that a band of robbers, who had taken refuge in the mountains, were become an object of terror to the neighbouring parts. On the other hand, England in the negotiations which preceded the treaty of Amiens, would not recognise the existence of our new state, nor the changes which we had thought proper to make in our constitution, by abolishing the aristocracy, and by preferring to all other advantages, that equality of rights, on which the prosperity of every commercial nation is founded. She has, in spite of our efforts to the contrary, included us in all her wars with France, and our maritime commerce has always been the prey to her tyranny. On the land side, we were so surrounded by the territory of the French empire, that if our city still possesses any commerce, we owe it to the Emperor, who has treated us with so much goodness, that he has made sacrifices in our favour to the possible prejudice of Nice and Marseilles. We had every reason to apprehend, that in the course of time, his Majesty would not be able to continue to us these advantages; and then, surrounded on all sides by the French custom houses, without territory, marine, or commerce, we should have been the most weak and miserable nation. The decree which united Piedmont to France, had already pronounced the union of our territory with the French em-

pire, and of our city, which is only a part of Piedmont. In this state of affairs, by an unanimity of opinion, which is unexampled in any nation, anxious to show ourselves worthy of our fathers, and unable, when left to ourselves, to give our flag that splendour and glory which our ancestors have obtained for it under different circumstances, we have resolved to recover that splendour, and that glory, by incorporating ourselves with a great nation, and by submitting ourselves to the laws of a great prince, who has always manifested towards us sentiments of friendship, and has honoured us with his particular protection. The deputation, who carry the voice of the senate, of the doge, and of the people, depart this evening; and when they shall have passed the frontiers of our territories, we shall consider our independence at an end. The government has thought it proper to communicate these circumstances to his Excellency the Baron de Giusti, and to assure his Majesty the Emperor of Germany and Austria, of their gratitude for the concern he has evinced on several occasions; and at the same time to acquaint his worthy representative at Genoa that his mission is hereby terminated. In placing ourselves thus under the laws of the French empire, we do not in the least add to her continental strength. Our population, few in number, is far from warlike. The produce of our finances will be entirely absorbed in the expenses of the defence of our coasts, and the establishment of our arsenals. France, by this union, will obtain an augmentation of naval force; and we cannot but think that we are doing what is the wish of all the continental powers, namely, to enable her to contend with the enemy of all nations, and the tyrant of the seas. The undersigned has the honour to reiterate to his excellency the minister plenipotentiary and envoy extraordinary, the expression of his entire esteem, and distinguished consideration. (Signed) ROGIERI. Dated Genoa, June 1, 1805.

ANSWER OF NAPOLEON to the Deputies, upon receiving the Decree of the Ligurian Senate.

You, the doge, and deputies of the se-

DIRECTIONS TO THE BOOK-BINDER.

It is to be observed, that this sheet, which is the last of Volume VII. should *not be cut open* by the reader, but should be left to the Bookbinder, who will perceive, that the first half sheet, of which this page makes a part, comes at the *end*, and that the other half sheet, containing the Title Page, Avertisement, and Table of Contents, is to be cut off, and placed at the *beginning* of the Volume.

Supplement to No. 26, Vol. VII.—Price 10d.

nate and people of Genoa.—Circumstances and your wishes have often called upon me, for the last ten years, to interfere in your domestic concerns. I have always endeavoured to procure peace for you, and to introduce those liberal ideas which could alone confer on your government that splendour which it formerly enjoyed. But I early had convincing proof of the utter impossibility in which you were placed to achieve any thing worthy of your forefathers. A great change has taken place; the new principles of maritime law, which the English have adopted, and compelled the greatest part of Europe to recognise; the right of blockade, which it is in their power to extend to places which are not blockaded, even to whole coasts and rivers, and which in effect is nothing else than to control at their pleasure the commerce of the world; the increasing depredations of the Barbary powers; all those circumstances presented to you only a nominal independence. Posterity will be grateful to me for having endeavoured to establish the freedom of the seas, and to compel the Barbary powers to refrain from molesting the weaker flags, and to live at home as agriculturists and honest men. The welfare and the dignity of the human race were my only objects. At the treaty of Amiens, England refused to co-operate in those liberal ideas. Since that time a great continental power has shewn as much repugnance to the same principle. Alone to maintain those principles, I should have had recourse to arms; but I have no right to spill the blood of my people, except for their own peculiar interests.—From the moment that Europe could not obtain from England, that the right of blockade should be restricted to places really blockaded; from the moment that the flag of the weak was unprotected, and at the mercy of the piracy of the Barbary powers, there was no longer any maritime independence; and from that moment every sensible man must have foreseen what is now come to pass. Whenever a commercial nation has no maritime independence, it becomes incumbent on it to place itself under protection of a more powerful flag. I will realize your expectations; I will unite you to my great people. I shall thereby acquire additional means of rendering that protection more powerful which I have always been so well disposed to extend to you. My people will with pleasure receive you. They know, that at all times you have been friendly to their armies, and that you have assisted them with all your force, and with all your means. They find, moreover, in your territory, ports, and an increase of ma-

ritime power, which is necessary for the support of their lawful rights against the tyrants of the seas.—In the union with my people you will find a continent; you, who have only ports, and the sea before you, will in this union find a flag, which, whatever may be the pretensions of my enemies, I shall support throughout all the seas of the universe, free from insults or attacks, and against the right of blockading, which I shall never recognise, but in such places as are really blockaded by land as well as by sea. In short, in it you will find yourselves protected against that shameful slavery, which, contrary to my wishes, I am obliged to suffer weaker powers to endure, but against which I shall always protect my subjects.—Your people will always find, in the regard I have ever had for them, and in the parental sentiments I shall feel for them henceforth, the assurance that every thing which can contribute to their welfare shall be done for them.—Doge, and gentlemen of the deputation of the senate, and people of Genoa, return to your country; I shall be there ere long, and will confirm the union which you and my people are about to form. These barriers which separate you from the continent, shall be removed for the common interest, and things will soon be in their natural order.—The signatures of all your citizens, subscribed to the request which you now make to me, dispel every objection I might have had to make. They constitute the only right which I consider as legitimate. In causing that law to be respected, I shall only establish the independence which I have promised you.

KINGDOM OF ITALY.—*The following articles are taken from the French Official Paper of the 5th of May, 1805.*

The solemn expression of the wishes of Liguria to be united to France, has been already followed at Milan by new ceremonials of the most important character. The first having taken place on the 4th instant, the Emperor and King presided in person on the 7th, at the opening of the legislative assembly of the kingdom of Italy. This event has been rendered remarkable, by the communication of a third constitutional code, which completes the monarchical government; and, as an additional support, confers upon it the Order of the Iron Crown. The meeting of the Italian legislature was also distinguished by the presentation of Prince Eugene Beauharnois, as Viceroy of Italy. His Majesty the Emperor and King, addressed the assembly in the following terms:

(*To be continued.*)

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